

**IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF MINNESOTA**

IN RE: ST. JUDE MEDICAL, INC.,	:	MDL DOCKET NO. 1396
SILZONE HEART VALVES PRODUCTS :		
LIABILITY LITIGATION	:	
	:	
THIS DOCUMENT RELATES TO ALL	:	
CASES	:	

**JOINT STATUS CONFERENCE REPORT
(STATUS CONFERENCE - OCTOBER 14, 2003)**

The parties have met and conferred and submit the following status report to the Court:

I. Pending Motions

A. Preemption Motion

The Court has under consideration St. Jude Medical's Motion for Summary Judgment based on the legal Doctrine of Preemption.

B. Subclasses Briefing

On March 27, 2003, the Court conditionally certified two classes for Medical Monitoring and Personal Injuries subject to review of the manageability of the proposed subclasses. At the time of certification, the Court requested briefing from the parties on the minimum number and types of subclasses that would be appropriate for Plaintiffs negligence, strict liability, breach of warranty and monitoring claims. The parties have submitted their respective briefs on the subject and the matter is ready for oral argument at the Status Conference.

C. Privilege Log

Defendant St. Jude medical has yet to provide the thirty one (31), documents ordered released by

this Court on August 28, 2003. On October 3, 2003, St. Jude Medical by way of a written letter brief to this Court sought clarification” of the August 28, 2003 Court Order. On the same date, the Plaintiffs petitioned the Court by way of written letter brief to order the immediate release of the 31 documents and asked the Court to appoint a Special Master to review the balance of approximately Four Hundred Fifty (450) documents withheld by St. Jude on the basis of privilege as identified on the privilege log they offered Plaintiffs.

IV. Status of Canadian Litigation.

The case management judge in Ontario has issued reasons indicating he will certify the class action in Ontario if he receives satisfactory submissions on class definition and the litigation plan. Further submissions on these points will be made over the next month. On October 9th, Justice Cullity issued an Endorsement, among other things, accepting for consideration the testimony of plaintiffs’ experts: Dr. Gregory Wilson, Dr. Frank Tyers and Dr. Kevin E. Healy. A mediation is scheduled for December 8 and 9 in Toronto.

V. Status of Pending Litigation.

St. Jude Medical has tendered an update litigation report to the Court and the Classes in anticipation of the October 14, 2003 Status Conference.

ZIMMERMAN REED, P.L.L.P.

DATED: October 10, 2003

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